

BOARD OF SELECTMEN

Minutes of the Meeting of 6 September 2006 at 6:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Kopko and Whiting Willauer. Chairman Willauer called the meeting to order at 6:00 PM.

Announcements. Town Administrator Libby Gibson announced the November 21, 2006 Special Town Election to fill the Board of Selectmen vacancy and reviewed the nomination paper deadline and other Special Town Election information.

Public Comment. Health Inspector Richard Ray addressed a letter in last week's Inquirer and Mirror regarding an allegation of raw sewage being discharged in to the harbor. He explained that that the material in question is not sewage, but sloughed off algal growth that is of no harm to people as is supported by results of weekly testing.

Grant Sanders asked the Board to rescind a letter (as voted August 2, 2006) regarding the Sconset Beach Nourishment Project. Rick and D. Anne Atherton shared a copy of a letter to the Board formally expressing concern about the project. Cormac Collier, Executive Director of the Land Council, expressed concern also.

Chairman Willauer advised that the Selectmen's meeting of September 13th will not be televised as usual as the Plum TV staff will be away for professional development.

Approval of Minutes of 30 August 2006 at 9:00 AM, 23 August 2006 at 6:00 PM, 16 August 2006 at 6:00 PM, 9 August 2006 at 6:00 PM, 2 August 2006 at 6:00 PM. Mr. Bennett moved to approve the minutes. Mr. Chadwick seconded. So voted.

Approval of Payroll Warrant for Weeks Ending 3 September 2006 and 27 August 2006. Mr. Bennett moved to approve the payroll warrant. Mr. Chadwick seconded. So voted.

Approval of Treasury Warrant and Pending Contracts for 6 September 2006. Mr. Kopko moved to postpone the approval of the Children's Beach concession contract until further review and discussion can occur with the Park and Recreation Commission on September 27, 2006. Mr. Bennett amended the motion to approve the treasury warrant and the pending contracts excepting the one for the Children's Beach concession. Mr. Chadwick seconded. So voted.

Citizen/Departmental Requests

1. Museum of Afro-American History: Request for Approval of Preservation Restriction to be held by Nantucket Preservation Trust for the Florence Higginbotham House, 27 York Street. Ms. Gibson introduced the item and Michael May, President of the Nantucket Preservation Trust, provided background information on the house's history and architecture. Attorney Richard Loftin, representing the Preservation Trust, spoke in support of the preservation restriction that runs with the deed to include the two outbuildings as well as the house to preserve the exterior of all three buildings. No one spoke in opposition. Mr. Bennett moved to approve the restriction. Mr. Chadwick seconded. So voted.

2. National Center on Addiction and Substance Abuse: Proclamation Request for "Family Day" on September 25, 2006. Chairman Willauer read the proclamation aloud. Mr. Bennett moved to approve the proclamation. Mr. Chadwick seconded. So voted. Mr. Chadwick asked the Board to add a discussion of the random drug testing of the Board members to an upcoming agenda. Chairman Willauer noted his support.

3. Angel Flight NE, Inc.: Request for Waiver of Tent Permit Fee. Mr. Chadwick moved to deny the request based on the fairness of the fee and the need for Town collection of such fees. Mr. Kopko seconded. So voted.

4. Citizen Request for Waiver of Sewer Connection Fee. First Way resident Yvette St. Jean reviewed her request for the waiver of the \$2,000 sewer connection fee required for the addition of the second dwelling in the basement of her primary residence. Mr. Kopko moved that the Board approve the waiver contingent on Ms. St. Jean signing a waiver to allow the Teen Center to connect to the sewer at a future date.

Ms. Gibson stated that further information is required and that there is no urgency to the Teen Center being connected to Town sewer; and, that the \$2,000 fee is unrelated to the connection of the Teen Center sewer. DPW Director Jeff Willett noted that the existing sewer line is privately owned and that the owner in such cases typically receives fees from those connecting to its line. Discussion followed on the Teen Center being in the sewer district and the potential benefits to the Town. Ms. St. Jean noted her willingness to convey the sewer main to the Town in exchange for receiving a waiver of the sewer connection fee. Mr. Willett assured the Board that the sewer was designed in accordance with Town specifications. Ms. Gibson suggested that the Board take no action on the waiver request pending the preparation of a conveyance document for review. So moved by Mr. Bennett. Mr. Chadwick seconded. So voted.

5. Liquor Licensee/Harbor House: Request for Change of Manager. General Manager Jim Storey spoke in support of the change of manager on the liquor license from Dennis Barquinero, former General Manager of the Harbor House, to himself. Mr. Bennett moved to approve the request. Mr. Chadwick seconded. So voted.

6. Liquor Licensee/Jared Coffin House: Request for Change of Manager. General Manager Jim Storey spoke in support of the change of manager on the liquor license from Eric Landt, former General Manager of the Jared Coffin House, to himself. Mr. Bennett moved to approve the request. Mr. Chadwick seconded. So voted.

7. Visitor Services & Information Advisory Committee: Request for Approval of Mission Statement (continued from April 26, 2006; June 28, 2006). Visitor Services Director Kate Hamilton noted her availability to answer any questions on the proposed mission statement. Ms. Gibson recommended adoption, with amendments. Mr. Kopko moved to approve the new mission statement as recommended by Ms. Gibson. Mr. Chadwick seconded. So voted. Ms. Gibson thanked Ms. Hamilton and David Sharpe for their help in organizing the recent (Town) Employee

Appreciation Day event.

10. Town Administration: Request for Approval of Policy Relating to Shellfish Propagation Fund Expenditures. *(This item taken out of order.)* Ms. Gibson reviewed the practice in place of seeking approval from the Board for expenditures of \$2,000 or more, noting that documentation has not been located showing that this policy was ever actually adopted by the Board. She recommended that the Board adopt a policy whereby expenditures of \$2,000 or more come before the Board; and, that expenditures below that amount be authorized by the Town Administrator. Mr. Chadwick moved to approve the policy as recommended. Mr. Kopko seconded. So voted.

8. Harbor & Shellfish Advisory Board: Request for Approval of Allocation of Funds from Shellfish Propagation Fund for Shellfish Research Project. Marine Superintendent Dave Fronzuto provided background information on the Maria Mitchell Association request for \$10,000 to fund a scallop research project. Mr. Chadwick moved to approve the request, which meets the expenditure requirements of the fund. Mr. Kopko seconded. So voted, with Mr. Bennett abstaining due to his need to temporarily excuse himself from the meeting.

9. Harbor & Shellfish Advisory Board: Request for Approval of Allocation of Funds from Shellfish Propagation Fund for Purchase of Upweller for Shellfish Propagation. Mr. Fronzuto reviewed this second request for equipment relating to the Town's shellfish propagation program. Mr. Chadwick moved to approve the request. Mr. Kopko seconded. So voted, with Mr. Bennett abstaining on his return to the meeting.

11. Committee Appointments: Cable Television Advisory Committee. Mr. Bennett moved to appoint Christine Silverstein to a three-year term on the CTAC to expire June 30, 2009. Mr. Chadwick seconded. So voted.

12. Nantucket Wine Festival, Inc.: Request for Formalization of "Sister City" Arrangement between Nantucket and Beaune, France. Denis Toner spoke in support of "the honorary linkage that places no encumbrance on the Town." He noted that the wines from the Beaune region are represented on the island. No one spoke in opposition. Discussion followed on the local alcohol abuse problem, the responsible drinking and temperance of Mr. Toner's wine tasting event and who would represent the Board at the upcoming ceremony in Beaune. Mr. Bennett moved to approve the formalization of the Sister City arrangement and suggested that Michael Glowacki as "Selectman Emeritus" attend the October 19-23, 2006 tour. Mr. Chadwick seconded. So voted.

13. Energy Study Committee: Request for Fiscal Year 2007 Professional Services Funding. Ms. Gibson apprised the Board of the request and her recommendation for a supplemental request for funds in FY 2008 rather than use FY 2007 professional services. Energy Committee Chairman Mike Burns and Consultant Robert Paterson spoke on the municipal electric aggregate formation as supported by Article 72 of the 2006 Annual Town Meeting to initiate the process to develop the plan. Discussion followed on the request for \$34,200 to meet 2 of 8 tasks and what it would cover: the establishment of goals and objectives, a review of policies and procedures and a

customer demand/supply analysis. Mr. Kopko spoke in favor of the request. Ms. Gibson noted the late timing of the request for an amount that is one-third of the Board's FY 2007 professional services budget. Discussion followed on the possibility of addressing this request later in the year in case the FY 2007 budget can accommodate it while also proceeding to create a FY 2008 supplemental request. Mr. Bennett spoke in support to saving on energy costs. The Board consented to postpone this item.

Town Administrator's Report.

1. Request for Approval of Grant Applications from Town Departments for Submittal to Community Preservation Committee. Ms. Gibson stated that two departments have prepared applications to the CPC for FY 2008: Park and Recreation for 3 projects totaling \$2,153,000 and Town Administration for consulting services related to the development of housing at 2 Fairgrounds Road for \$75,000. Discussion followed on these requests. Mr. Chadwick moved to support the submission of the Town Administration application for \$75,000. Mr. Kopko seconded. So voted. Parks and Recreation Director Jimmy Manchester provided information on his requests in sequence, reviewing a plan for the creation of four youth fields on Land Bank property off Nobadeer Farm Road, which would require \$2,000,000; outlining a Backus Lane skate board park plan, which would require \$150,000; and describing the Tom Nevers swing set, which would require \$3,000. Mr. Bennett moved to approve the submission of the Parks and Recreation requests. Mr. Chadwick seconded. So voted.

2. Review of Supplemental Funding Options for Surfside Wastewater Treatment Facility Upgrade. Ms. Gibson provided background information. Discussion followed on the options of "putting the costs where they are generated" to avoid an override request and of staying with the agreed-on funding formula as determined in 2005. Mr. Bennett moved to fund using the same formula as was used for the initial appropriation (1/3 paid for by general fund, via override; 2/3 paid for by sewer users), which would require a debt exclusion override of approximately \$3.2 million. Mr. Kopko seconded. So voted. Mr. Chadwick voted in opposition. Ms. Gibson stated that public education would follow on this.

3. Review of Home Rule Petitions for 2007 Annual Town Meeting. Ms. Gibson reviewed three home rule petitions that, if not acted upon by the legislature by December 31, 2006, would have to be re-approved by the 2007 Annual Town Meeting to be current at the legislative level. She reviewed the outstanding home rule petitions pertaining to the following: ownership of property in Miacomet Village by the Housing Authority, the proposed Community Housing Bank and ownership of the 1975 roads. Mr. Bennett moved to re-submit all three home rule petitions for the 2007 Annual Town Meeting if they are not acted upon by the end of the year. Mr. Kopko seconded. So voted.

4. Review of Revised Timelines for October 23, 2006 Special Town Meeting; 2007 Annual Town Meeting. Ms. Gibson reviewed changes and noted that although it would be convenient for the elections to be combined, it is unlikely that the Surfside Wastewater Treatment Facility bidder will be able to hold his bid until that later date due to sub-bidders involved. Mr. Bennett moved to

endorse the changes as reviewed. Mr. Kopko seconded. So voted.

5. Review of FY 2008 General Fund Budget Instructions. Ms. Gibson requested that the Board endorse the same instructions issued for the last several years with expense budgets level-funded and new expenses, recurring shortfalls and/or increased expenses, new personnel, projects or replacement or new equipment to be submitted as "supplemental requests." The Board consented to this.

6. Review of Board of Selectmen's Meeting Schedule for September, October, November. Ms. Gibson reviewed the upcoming schedule. She then announced that in September temporary spray paint will mark locations of borings and existing utilities in conjunction with the downtown sewer replacement and stormwater improvement projects.

Selectmen's Reports/Comment.

Chairman Willauer thanked Mike Glowacki for his service and shared a certificate of appreciation as signed by the Board members to be presented to him.

Mr. Bennett spoke on the "crossroads of the island" and requested the vote of island residents in the upcoming primary election for the state senate.

The meeting adjourned at 7:55 PM.

Approved the 20th day of September 2006.